



ADVISORY COUNCIL ON RECREATIONAL FISHING FUNDING MINUTES OF NOVEMBER 15, 2011



Location: Hearing Room, 1st Floor, Legislative Hall, Dover
Div. of Fish & Wildlife: Phone: 302-739-9914, Fax: 302-739-6157

ADVISORY COUNCIL

Eric Burnley, Sr., Chairman
Bill Baker, Sr.
Bernie Pankowski
Floyd Morton III
David Russell (absent)
Sen. Robert L. Venables
Rep. Gerald W. Hocker
Douglas Valentine
Ronald Horton

DIVISION OF FISH & WILDLIFE

David Saveikis, Director
Lacy Nichols, Jr.
John Clark
Stewart Michels
Candace Dunning
Kim (Records) Stangl

PUBLIC

8 Attendees

Agenda Item 1. Call to Order & Welcome

Chairman Burnley called the meeting to order at 7:00 PM. He thanked everyone for their attendance. New Council members, Mr. Horton and Mr. Valentine, were in attendance.

Agenda Item 2. Approval of Minutes from April 12, 2011 Meeting

A motion was made, seconded and carried to approve the minutes from April.

Agenda Item 3. Ad Hoc Committee on License Agent Service Fees Overview & Process

Mr. Saveikis reminded everyone that this Ad Hoc Committee was established to consider the possibility of increasing the license agent service charge for selling fishing and hunting licenses. Some of the authorized license agents expressed interest in this after finding out that the DFW will no longer be supplying the necessary equipment to print the licenses. The Committee was made up of four representatives of license agents in the north, south, east and west of Delaware, and council members from 3 of the DFW's advisory councils. Mr. Saveikis briefly described the two meetings of the Committee and added that their final decision was to seek a one-dollar increase in the license service charge. He went on to say that the goal is to implement this increase for next year's license sales. He then asked Senator Venables and Representative Hocker for verification that the DFW/DNREC has the necessary authority, as per 7 Delaware Code, § 511(d), to implement this increase. **Representative Hocker** first stated that he did not participate in any deliberations of the Ad Hoc Committee, since he owns a business authorized to sell the DFW's fishing and hunting licenses. He then offered to have the House Attorney review this section of Del. C. to clarify the Department's authority in this regard. He commented his understanding is that the Department does have the authority to implement an increase in the license agent service charge and that this does not need to go through

the legislative process. Final clarification of the proper procedures for the DFW to follow should be made by the end of the week.

Agenda Item 4. Report of the Ad Hoc Committee on License Agent Service Fees

Mr. Bill Baker, Jr. stated that the Ad Hoc Committee members spoke with owners of various, authorized private license agents, and found that the majority would favor a one-dollar increase in the service charge. He went over the current average cost for these agents to sell each license, and explained that increasing the service charge would allow for future purchases of the necessary supplies required to sell the licenses, since the DFW will no longer supply the equipment. An increase would also allow a small profit for these local businesses. The Committee also sought and received approval to allow the one-dollar increase in the service charge for selling fishing and hunting licenses from the Tidal Finfish Advisory Council (TFFAC), the Wildlife and Freshwater Fish Advisory Council (WFFAC) and the Recreational Fishing Funding Advisory Council (RFFAC). Mr. Baker added that Senator Venables, Senator Bunting and Representative Hocker have each pledged their support to this Committee's goal of allowing authorized license agents to increase their license service charge by one dollar.

Agenda Item 5. Council Discussion and Recommendation on License Agent Service Fees

The Council discussed the findings and recommendation of the Ad Hoc Committee and everyone agreed to approve their recommendation based on their justification. **Mr. Saveikis** restated that he would like for Senator Venables and Representative Hocker to verify that 7 Delaware Code, §511(d) gives the Department the authorization to allow the DFW license agents to increase the amount they charge customers for selling fishing and hunting licenses. A motion passed (Rep. Hocker abstained from this vote since he is a license agent for the

DFW) to approve the recommendation to allow the \$1 increase in the license agent service charge, pending verification that the Department has the authority to do so. Mr. Saveikis clarified for the record that the requested \$1 license agent service charge increase represented a profit beyond the cost to replace equipment and supplies; the **Council** stated that they had no objection to a license agent service charge increase resulting in a direct profit for license agents.

Agenda Item 6. Update on Status of Fishing Access Construction Projects

Mr. Nichols stated that the Cedar Creek access area will be closing for reconstruction. The bid opening took place on Oct. 4 with 4 bidders. The project was estimated to cost \$3.5 million but the low bidder, Kuhn Construction Co., bid \$3.2 million. This site will be completely closed for the duration of reconstruction, which is estimated to take 180 days, and should begin on Nov. 28. **Mr. Burnley** asked why this project was not started in June/July as originally planned, and **Mr. Nichols** explained that federal approval was delayed and federal funds were not available to the DFW until Sept. The bid opening for the Garrison Lake footbridge project also occurred on Oct. 4 and Kent Construction Co. was the low bidder with a bid of \$308,080 (estimated cost was \$492,000). This project will begin as soon as the purchase order has been finalized. The state-wide parking lot improvements of 15 sites throughout DE is a proposed 3-year project with an anticipated budget of \$315,000. Bids were also opened on Oct. 4 for this project and the low bidder came in at \$706,503. Mr. Nichols explained that the decision was made to scale the project back to 3 sites in order to stick to the budget. The 3 sites included in this proposal will be; the town of Milton boat ramp, Coursey Pond-3 areas, and Bowers Beach boat ramp. Jerry's Inc. will begin the work, starting with Milton, after the Thanksgiving holiday. Mr. Nichols stated that the reconstruction (2nd phase) of the boat ramps and small portion of bulkhead at Phillips Landing will be an upcoming project. He explained that he'll apply for the necessary permits and then design and engineering will begin, which will take approximately 12 to 18 months. At that point, the DFW expects to be financially able (in receipt of expected federal match funds) to proceed with beginning this proposed reconstruction. Some discussion took place regarding various other access areas in need of repairs or enhancement. **Senator Venables** mentioned that additional parking is needed at Phillips Landing and at Holts Landing (owned by the Div. of Parks & Recreation). Unfortunately, the DFW is restricted in this regard due to the current budget and land preservation edicts. **Mr. Saveikis** noted that lands purchased with federal funds versus state funds are bound by federal restrictions and added that certain federal restrictions may apply when federal funds are used to maintain areas purchased with state funds. He stated that he will get a definite answer to this matter. A **gentleman** brought up an issue regarding an encounter with a large pot hole at one of the access areas. He explained that he called the

Department to report the hazard, but he was displeased with being transferred several times and that he was never thanked for his report. **Mr. Nichols** stated that new signs are being produced for the access areas which will contain emergency and operations/maintenance issues contact phone numbers for the public. **Senator Venables** asked that Records Pond boat ramp be looked at regarding sediment hindering boat launching and he asked if there is a set policy regarding where portable bathroom facilities are placed in recreational DFW areas. **Mr. Nichols** explained that in the past port-a-potties were placed in high-use areas, and then at the request of certain towns, additional units were placed in areas located in or near these towns. Again, the main issue that hinders placing units at all the access areas is budgetary since laws require that handicapped units must be placed wherever regular units are located. The handicapped units only handle about one-third of the capacity of the regular units but they are about 3-times more expensive.

Agenda Item 7. Presentation Regarding Dredging & Channel Marking in the Inland Bays

Mr. Baker introduced Mr. Eric Buehl, Habitat Coordinator, and later Mr. E.J. Chalabala, Restoration Coordinator, for the Center for the Inland Bays. **Mr. Buehl & Mr. Chalabala** provided hand-outs with their presentations regarding projects for Massey's Landing access dredging and inland bays channel marking. After providing initial information, including the requests for \$74,375 for channel marking and \$300,000 for dredging, **Mr. Burnley** stated that this Council is the wrong vehicle from which to seek funds. He explained that DFW license funds are matched 3 to 1 with federal funds. Spending license funds for these projects, which will not receive the matching federal funds, would not be prudent and he encouraged Mr. Buehl & Mr. Chalabala to seek funds from the state legislature instead. He added that he agrees these projects are needed but he cannot justify losing out on matching federal funds when other options can be pursued. **Mr. Saveikis** interjected that the Div. of Watershed Stewardship has included a request for \$300,000 in the bond bill for dredging Massey's Landing.

Agenda Item 8. Agenda Items & Tentative Scheduling for Next Meeting

Mr. Burnley said the next meeting is tentatively planned for April 2012.

Agenda Item 9. Adjourn

Meeting adjourned at 8:24 PM.

Respectfully submitted,



Kim (Records) Stangl
Recording Secretary